

# **EXHIBIT F**

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December 3, 2013

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1777 Reisterstown Road, Suite 165  
Baltimore, Maryland 21208

**RE:** In Re New England Compounding Pharmacy, Inc  
MDL 1:13-MD-02419  
Subpoena Response of Baltimore Pain Management Center, P.A.

Dear Ms. Hawk,

Baltimore Pain Management Center, P.A., by and through its undersigned attorneys, hereby responds to the PSC Subpoena, authorized by Judge Saylor in the MDL court on June 21, 2013 (Dkt 192) (the "Court's Subpoena Order"), issued as an attachment to correspondence June 21, 2013 and as modified by the PSC on July 17, 2013 (Dkt 325), further modified by Judge Saylor in the MDL Court on August 1, 2013 (Dkt 370) and then again by Judge Boal's Order dated November 13, 2013 (Dkt. 572).

### OBJECTIONS

This Subpoena is objected to on the basis that Baltimore Pain Management Center is not a party to any litigation involving the contaminated products produced and shipped by the New England Compounding Center (NECC). Baltimore Pain Management Center, to its knowledge, has no patients who have filed suit, joined the MDL litigation or given notice of a claim against the Baltimore Pain Management Center relating to NECC medications.

Further, the use of the term "Healthcare Provider" within the requests is confusing at best because its purported definition in Request number 7 of the Subpoena Exhibit received by Baltimore Pain Management Center is merely "NAME OF TARGET HEALTHCARE PROVIDER." Since the Subpoena stems from an action naming multiple health care providers, and was sent to a health care provider, it is unclear whether the term is supposed to refer to Baltimore Pain Management Center, NECC, a doctor, or another medical entity. For the purposes of responding to this Subpoena, it is assumed the term refers to Baltimore Pain Management Center.

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Elisha Hawk, Esq.

December 3, 2013

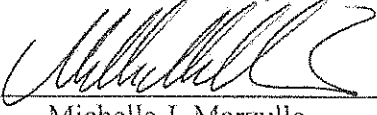
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**RESPONSE**

The majority of the Subpoena as to Baltimore Pain Management Center is quashed pursuant to Judge Saylor's Order in August (Dkt 370) and Judge Boal's November 13 Order at Section 2b page 20 (Dkt 572). The narrow exception is the request for documentation reflecting or containing communications to the NECC by Baltimore Pain Management Center regarding complaints or adverse event reports. Without waiving the above-referenced objections and subject to them, the Response of Baltimore Pain Management Center to this narrow request is: Baltimore Pain Management Center has no documents and/or ESI responsive to this request.

Very truly yours,

MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.

  
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Michelle J. Marzullo

MJM/ecm